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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,500	08/22/2006	Jin-Woo Hong	AB-1423 US	8126
33605	7590	07/28/2009	EXAMINER	
Haynes and Boone, LLP IP Section 2323 Victory Avenue SUITE 700 Dallas, TX 75219			KIM, HEE-YONG	
			ART UNIT	PAPER NUMBER
			4192	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/531,500

Applicant(s)

HONG ET AL.

Examiner

HEE-YONG KIM

Art Unit

4192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF 298)
Paper No(s)/Mail Date ____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 8-11, 14-15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Surve (US patent 6,591,008) in view of MPEG-21 Digital Item Declaration WD (v2.0) (ISO/IEC JTC 1/SC 29/WG 11 N3971, March 2001), hereafter referenced as Surve and WD respectively.

Regarding claim 1 and 9 and 11, Surve discloses Methods and Apparatus for Displaying Pictorial Images to Individuals Who have Impaired Color and/or Spatial Vision. Specifically Surve discloses *receiving visual content* (Image Sourc, 30 in Figure1), *accepting information* (Measured Subject Profile, 110 in Figure 1) *about the user's low-vision impairment symptom and presentation preferences* (column 2, line 53- column 3, line 8), *adapting* (Color Content Adjustment Section(50), Contrast Content Adjustment Section(60), Spatial Content Adjustment Section(70) in Figure 1) *the received visual contents through a method selected according to the information*, *displaying* (Display Screen, 90 in Figure 1) *the adapted visual contents to the user*. However Surve fails to disclose *describing the information in a standardized description*

structure. However, the examiner maintains that it was well known in the art to provide *describing the information in a standardized description structure* as taught by WD.

In the similar field of view WD discloses Digital Item Description for MPEG-21 standard. Specifically WD discloses Declaration Model at the page 9 and Digital Item Declaration Representation at the chapter 5, particularly 5.2.10 <DESCRIPTOR>. The examiner maintains that one of ordinary skill in the art at the time invention could make description of information regarding *the user's low-vision impairment symptom and presentation preferences* using the above description standard.

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Surve by specially providing *describing the information in a standardized description structure*, as taught by WD, for the purpose of interoperability across different displays.

Regarding claim 2, Surve and WD discloses everything claimed as applied above (see claim 1). Surve further discloses *wherein the information about the user's low-vision impairment symptom includes at least the kind of the low-vision impairment symptom* (impaired color, spatial discrimination in Column 2, line 58).

Regarding claim 3, Surve and WD discloses everything claimed as applied above (see claim 1). Surve further discloses *wherein the information about the user's low-vision impairment symptom includes a numerical descriptor* (numerical value) *that describes a degree of the user's low-vision impairment symptom* in Column 3, line 5).

Regarding claim 4, Surve and WD discloses everything claimed as applied above (see claim 1). Surve further discloses *wherein the information about the user's*

low-vision impairment symptom includes at least a degree of "lack of contrast" (contrast parameter at Column 4, line 3-15, and figure 4).

Regarding claim 8, Surve and WD discloses everything claimed as applied above (see claim 1). Surve further discloses *wherein the step of adapting the visual contents is carried out through the user information from contrast control* (Contrast Content Adjustment Section, 60 in Fig. 1).

Regarding claim 10, Surve and WD disclose everything claimed as applied above (see claim 1). Surve further discloses *wherein the information about the user's low-vision impairment symptom includes at least one selected from the group consisting of a degree of "loss of fine detail" (Attribute 150 in Fig.2, Spatial Content), a degree of "lack of contrast" (Attribute 160 in Fig.2, mid-tone Contrast) as disclosed at Column 3, line 19-30.*

Regarding claim 14,15,17, the claimed inventions are systems corresponding to method claims, 1,4,and 8 respectively. Therefore rejections apply to them in the same ways.

Claims 5-7,12-13,16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Surve in view of WD and further in view of ISO/IEC 21000-7 FCD-Part 7 (ISO/IEC JTC 1/SC 29/WG 11 N5845, July 2003), hereafter referenced as FCD.

Regarding claims 5 and 12, Surve and WD disclose everything claimed as applied above (see claim1 and 11). However, Surve and WD fail to disclose *wherein the information about the user's presentation preferences includes user's contents*

resource priority preference. However, the examiner maintains that it was well known in the art to provide *wherein the information about the user's presentation preferences includes user's contents resource priority preference* as taught by FCD.

In the similar field of view, FCD discloses *Digital Item Adaptation*. Specifically FCD discloses *wherein the information about the user's presentation preferences includes user's contents resource priority preference* (Different Priorities for different Resources in 5.3.12.1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Surve and WD by specially providing *wherein the information about the user's presentation preferences includes user's contents resource priority preference*, as taught by FCD, for the purpose of assigning presentation priorities for resources.

Regarding claims 6 and 13, Surve and WD disclose everything claimed as applied above (see claim 5 and 12). However Surve and WD fail to disclose *wherein user's contents resource priority preference has a modality priority preference and a genre priority preference*. However, the examiner maintains that it was well known in the art to provide *wherein user's contents resource priority preference has a modality priority preference and a genre priority preference* as taught by FCD.

In the similar field of view, FCD further discloses *wherein user's contents resource priority preference has a modality priority preference and a genre priority preference* (Resource based on their original Modalities and Genres in 5.3.12.1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Surve and WD by specially providing *wherein user's contents resource priority preference has a modality priority preference and a genre priority preference*, as taught by FCD, for the purpose of assigning presentation priorities for all resources of certain modalities and genres.

Regarding claim 7, Surve and WD disclose everything claimed as applied above (see claim 5). However Surve and WD fail to disclose *wherein the contents resource priority preference has an object priority preference*. However, the examiner maintains that it was well known in the art to provide *wherein the contents resource priority preference has an object priority preference* as taught by FCD.

In the similar field of view, FCD further discloses *wherein the contents resource priority preference has an object priority preference* (The specific way in which user identifies some specific resource in 5.3.12.1, and Object priority syntax description in 5.3.12.2 Presentation Priority Preference Syntax).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Surve and WD by specially providing *wherein the contents resource priority preference has an object priority preference*, as taught by FCD, for the purpose of highlighting a specific resource.

Regarding claim 16, the claimed invention is a system corresponding to method claim 5. Therefore rejection applies to the claim 16 in the same way as it does to the claim 5.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HEE-YONG KIM whose telephone number is (571)270-3669. The examiner can normally be reached on Monday-Thursday, 8:00am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Harold can be reached on 571-272-7519. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HEE-YONG KIM/
Examiner, Art Unit 4192
/Jeffery F Harold/
Supervisory Patent Examiner, Art Unit 4192